

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION

BRADLEY J. SCHAUFENBUEL; ROBERT N.)
SCHAUFENBUEL; JOHN AND SARAH REED,)
IV; JOHN AND JAN REED, III; AMERICAN)
MASS MEDIA CORPORATION; ROBERTA K.)
CLARK; on behalf of Themselves and All Others)
Similarly Situated)

Plaintiffs,)

v.)

Case No. 09-cv-1221
The Honorable Judge Leinenweber

INVESTFORCLOSURES FINANCIAL, L.L.C)
ROI DEVELOPERS; INVESTFORCLOSURES;)
INVESTFORCLOSURES.COM, LLC;)
INVESTFORCLOSURES VENTURES; LLC)
SANDS OF GOLD ESCROW; SANDS OF GOLD;)
ROI FINANCIAL; REALTY OPPORTUNITIES)
INTERNATIONAL ESCROW 23; ROI ESCROW;)
REALTY OPPORTUNITIES INTERNATIONAL)
S. de R.L. de C.V; REALTY OPPORTUNITIES)
INTERNATIONAL; ROI MEXICO; SANDS OF)
GOLD ESTATES; FRANCIS X. SANCHEZ)
aka FRANK SANCHEZ; JAMES D. BOURASSA)
aka JIM BOURASSA; SCOTT D. WESSEL;)
DEANA M. GUIDI; DANIEL E. FITZGERALD)
aka DAN FITZGERALD; SCOTT R. SLAGLE;)
DARCEY L. MARTIN; TOM RODRIGUEZ; and)
JOHN DOES 1-30.)

Defendants.)

**DEFENDANT'S MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF LOCAL
RULE 7.1**

NOW COMES Defendants DARCEY MARTIN, DEANA GUIDI, and TOM
RODRIGUEZ (collectively "Movants"), and move this Court for leave to file its Memorandum
in Support of their Motion to Dismiss Plaintiffs' Second Amended Complaint in excess of the
fifteen (15) page limitation set forth in Local Rule 7.1. In support thereof, Movants state as

follows:

1. Local Rule 7.1 states that “neither a brief in support of or opposition to any motion ... shall exceed 15 pages without prior approval of the court.”
2. On April 27, 2009, Plaintiffs filed their Second Amended Complaint with this Court.
3. Plaintiffs’ Second Amended Complaint contains seventeen (17) different counts and is fifty-nine (59) pages in length (not including exhibits).
4. Plaintiffs’ Second Amended Complaint identifies at least thirty-two (32) separate Defendants.
5. Plaintiffs’ Second Amended Complaint fails to state a cause of action against Movants for each and every one of the seventeen (17) counts alleged.
6. In order to address the deficiencies in Plaintiffs’ Second Amended Complaint, Movants have drafted a Motion to Dismiss Second Amended Complaint and a Memorandum in Support thereof.
7. Given the numerous counts, voluminous pages, and separate and extensive legal theories in Plaintiffs’ Second Amended Complaint, Movants were unable to address all of the issues and legal elements of Plaintiffs’ claims within the fifteen (15) page limit.
8. Movants’ have made all reasonable efforts toward brevity and reducing the burden on this Court in drafting their Memorandum in Support of its Motion to Dismiss.
9. It is imperative that Movants be permitted to fully and adequately address all the issues Plaintiffs’ Second Amended Complaint in order to protect Movants against the current fishing expedition and the undue burden being caused by Plaintiffs’ improper Complaint.
10. A nineteen (19) page Memorandum is necessary to effectively address all of the

counts in Plaintiffs' Second Amended Complaint.

WHEREFORE, Defendants, DARCEY MARTIN, DEANA GUIDI, and TOM RODRIGUEZ, respectfully request leave to file its nineteen (19) page Memorandum in Support of their Motion for Summary Judgment in excess of the fifteen (15) page limit set by Local Rule 7.1.

Submitted by:

/s/ Russell W. Baker
Russell W. Baker, On behalf of
Defendants Darcey Martin, Deana Guidi and
Tom Rodriguez

For Defendants:
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